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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 NANCY GILL,

11 Plaintiff,

12 v.

13 MICHAEL MAGAN, et al.,

14 Defendants.

CASE NO. C19-860 MJP

ORDER GRANTING MOTION TO
COMPEL

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16 THIS MATTER comes before the Court on Defendants' Motion to Compel Discovery.
17 (Dkt. No. 34.) Having reviewed the Motion, the Response (Dkt. No. 39), the Reply (Dkt. No.
18 41), and the related record, the Court GRANTS the Motion.

19 Plaintiff alleges that Defendants mistakenly and negligently entered her house in
20 connection with "the bank robber" who previously lived there. (Dkt. No. 1, Ex. 1 ("Compl."),
21 ¶¶ 17, 19-20.) As a result, Plaintiff suffered economic and non-economic damages, including
22 lasting emotional distress that caused her to lose her job. (Id., ¶ 25.) She filed this action against
23 Defendants Michael Magan and Michael Gonzales of the Seattle Police Department, Mike
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1 Mansur of the Snohomish County Sheriff's Office, the City of Seattle, and Snohomish County.
2 (Id. ¶¶ 4-8.)

3 Defendants now move to compel Plaintiff to produce information from her cell phone in
4 response to several of Defendants' discovery requests. (Dkt. No. 34.) These requests seek
5 documents and information related to the incident, including Plaintiff's relevant communications
6 over the following months. (See Dkt. No. 35, Ex. 1 at 13 ("Please produce all photographs or
7 videos that you took on August 22, 2017) at 16 ("Please produce all communications (whether in
8 the form of e-mails, text messages or messages on social media platforms) from January 2017 to
9 the present that contain the words "Fisher" or "robber" or "FBI").) Finding that these requests
10 are relevant to Plaintiff's claims, the Court GRANTS Defendants' Motion and ORDERS the
11 following:

12 (1) Plaintiff is to provide the passcode(s) to unlock her phone. The independent forensic
13 consulting firm, Muchmore Consulting LLC, will extract the requested data from
14 Plaintiff's phone and perform the analysis. (Dkt. No. 34 at 2.) The Seattle Police
15 Department will not be involved in this process.

16 (2) Within seven days of the date of this Order, Counsel will have a voice to voice or face
17 to face meeting to confer on the details of transfer.

18 (3) Muchmore Consulting has 10 days from the date of transfer to extract responsive text
19 messages, photographs, videos, and call logs from the period August 22, 2017 to
20 December 1, 2017. Muchmore Consulting shall return the phone to Plaintiff
21 immediately thereafter.

22 (4) Defendants will supply a substitute phone for this period at their expense. This will
23 be a taxable cost if Defendants prevail in this action.
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1 The clerk is ordered to provide copies of this order to all counsel.

2 Dated April 10, 2020.

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5 Marsha J. Pechman
6 United States District Judge
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